RECORDER SMYTH RULES OUT IMPORTANT EVI-DENCE-A SURPRISE FOR THE DEFENCE.

The defence rested yesterday in the trial of Charles W. Gardner on the charge of attempted extortion, in eneral Sessions, and the case may go to the jury The most important incident was the over to the presecution of John W. Ryan, witness for the defence. Recorder smyth excluded all testimony going to show that the Society for the Prevention of Crime was directing Gardner's efforts to get an affidavit from Lillie Clifton.

In the morning Assistant District Attorney Wellman continued his cross-examination of the de-fendant. Gardner said that he had been a streetcar conductor in Beston, but denied that he had been for "knocking down" fares. mitted that he had been suspended by the com-Wellman mentioned several keepers disorderly houses, and asked the witness if he had not exterted money from them. Gardner said he nover had. Mr. Wellman then asked him further questions about his financial affairs.

W. Travers Jerome called Police Justice Charles

N. Taintor as a witness. He testified that Gardner had told him in October of an attempt of some one acting in the name of the society to levy blackmail. The Clifton woman's name had not been mentioned, John P. Patterson, a eigar dealer and City Councillor of Boston, declared that he had known the prisoner for twelve years, and always considered truthful and honest.

T. D. Kenneson, a member of the executive committee of the Society for the Prevention of Crime, was called next. He testified that Gardner had last summer requested that G. C. Grant be discharged from the society's employ. Gardner, Mr. Kenneson said, was still in the society's service, and et of dismissing him had never been considered. Ex-Pollee Justice Kilbreth was asked to take the witness stand to testify that Gardner had also told him of Grant's alleged attempt at blackmall. Recorder Smyth, however, excluded all questions put to bring this out. Frank Moss, counsel of the society and a member of its executive committee, wa not allowed to testify, as the Recorder ruled out all the questions which were put to him. Mr. Jerome wanted the witness to tell what the society had instructed Gardner to do with reference to the Clifton

After recess, John F. C. Purdy, a clerk of the Parkhurst society, told of seeing Gardner take out of the safe at the society's rooms, a certain envelope Which has been offered in evidence and which Lillie Cliften said she saw in Gardner's hands. John W. Byan, an agent for the society, caused surprise giving strong evidence against the side which called He swore that he saw Gardner take the envelope out of the bookcase, instead of out of the He had talked with Mr. Moss about the case, Moss told him to hunt for the champagne bottle which was brought to the society's rooms when Lillie Clifton visited them with Gardner, and to put away or destroy it. He declared that Mr. Merritt, a fellow-agent of the society had asked him to get a man intoxicated, and to entice him into a disorderly house, so that his wife could get a divorce from Two weeks ago, the witness said, Gardner asked him to swear that he, Gardner, had taken the envelope from the safe, and not from the bookease. Ryan further said that he had heard Mr. Moss reprimend Gardner for going into a gambling house with a man named Taylor. Mr. Moss, recalled, denied this statement absolutely.

Mr. Jerome was then sworn as a witness. He said that Ryan had told him that he saw the envelope

taken from the safe.

John Merritt, seventy-three years old, agent of the society, told of the visit of Inspector McLaughlin

Society, told of the visit of Inspector McLaughlin, Captain Devery and Sergeant Crowley to Gardner's home, No. 26 Lexington-ave. The witness lives in the same place. He denied having asked Ryan to get a man drunk.

Mrs. Florence Gardner, the nineteen-year-old wife whom the prisoner married last May, told her account of the visits to her house of the Clifton woman. She was in a highly nervous state and Mr. Wellman considerately cross-examined her hardly at all. George R. Clark, another agent for the Farkhurst society, also swore that Gardner took the envelope from the safe. Messrs, Jerome and Wellman got into one of their passages at arms, and the Recorder said: "You people ought to stop that. One is as bad as the other."

Dr. Farkhurst was too ill to be in court yesterday

had as the other."

Dr. Farkmest was too ill to be in court yesterday of the property of the p

JUDGES LEARN SOME NEW LAW POINTS.

THE MARQUIS OF QUEENSBERRY'S RULES AN AUTHORITY BUFORE THE COURT OF COMMON PLEAS.

After due deliberation and with a realizing sense of the importance of the issues at stake, the learned Judges of the General Term of the Court of Common Pleas have decided that the fight which "Georgie Reynolds put up against "Al" O'Brien at the Man battan Athletic Club last June was a "fake," and that he is not entitled to the \$00 which the Second District Court awarded to him as second money O'I rien is from Philadelphia, but his residence doesn't signify, for he is known as a "rusher," and a "bitter," and a "tough nut," and a "kidney fighter," and by many more complimentary and euphonious titles. It is supposed that it was the "kidney" blows that

There was a purse of \$200 for the winner and \$100 for the loser. Reynolds came up smilling, and it is supposed that O'Brien smiled, too, but he has "loaned his face" for so many fights and had it "broken" frequently that it was difficult to determine what the expression on it was. He went for Reynolds and played a tattoo on him with his fists, not discriminating against the kidneys, and at the end of two round had knocked the "smile" all out of him. At least Reynolds was not willing to expose his kidneys again for the extra \$100, and his seconds "threw up the sponge." Dominick McCaffrey, the club's boxing master, was referee, and he declared that Reynolds had "quit" to avoid punishment, and was fully capa-ble of going on with the match. Under the circumstances the club refused to pay him second money.
Reynolds brought sult in the second District Court

to recover the money, basing his case on two specific First that he was ready and willing to go on with the light, but was prevented by his seconds second, that he was completely knocked out and un-side to proceed. There was but one other possibility, namely, that he could go on, but wouldn't. There were two chances out of three in his favor,

however, and the Court allowed his claim. The case was appealed to the Judges of the Court of Common Pleas, who searched their musty law books in vain for a definition of a "knock-out." There was nothing about it in the Constitution of the United States or in the Federal Statutes. The State laws ignored it, and even common law was silent on the ambject. Finally Judge Bookstaver, it is supposed-Marquis of Queensberry rules. Three legal minds set themselves to master this new authority, and by its aid succeeded in solving the problem. Judge Bookstaver writes learnedly that if Reynolds "knocked out" he could not have been willing to continue the fight, and that under the Marquis of

Queensberry rules the referee's decision is final. The Judges of the Court of Common Pleas may not be "sports," but they know a thing or two about sporting affairs. They are "dead quiet mugs," but they "don't want men to lay down before they are licked." As lawsivers they may now rank with the promulgators of the Code Justinian and the Code Aspoleon. No lawyer's library hereafter will be complete without a copy of the Marquis of Queensberry rules.

## S. J. COHEN HELD FOR SWINDLING.

Samuel J. Cohen, who succeeded in swindling a ber of people by representing himself to be an agent of the United Hebrew Charities, was held in \$1,500 ball yesterday, by Justice Ryan, in the Tombs

Police Court. He will be examined to-morrow. Superintendent Charles Frank, of the United Hebrey Charities, was in court to prosecute the swindler, but as he had not secured the attendance of any of Othen's victims, the formal complaint was not drawn up against the prisoner. It is said that he obtained about \$2,000.

LEGISLATION AFFECTING THE CITY.

Corporation Counsel Clark had a conference with Gilroy yesterday regarding the bills pending in the Legislature affecting the city. Mr. Clark bas peretofore had a representative at Albany to watch legislation of this kind, but this winter he is attending to this sort of business himself. All the bills, it was said, which the Mayor is anxious should pass will be favorably reported except the measure to preserve the Croton watershed from contamination authorizing the city to purchase strips of land on either side of the water courses and surrounding the lakes and pends. The farmers of Putnam and Westchester countly have shown a disposition to oppose the bill, asserting that they are against having Tickets will be sold from other points on same date at rate of two cents per mile.

ings. Assemblyman Hamilton Fish, jr., of Patnam, is reported to be championing the fermers' cause. The COMMISSIONERS' CASE. Committee on Cities will give a hearing on the bill on February 16 at which the Mayor may be present.

RACE TROUBLE IN TEXAS ENDED.

PEACE RESTORED AT STAFFORD'S POINT AFTER ONE NEGRO HAD BEEN KILLED.

Stafford's Point, Tex., Feb. 6.-A half-grown negro boy insulted the wife of Dr. Cochran vesterday. She reported the matter to her husband on his return and the doctor chastised the box. Lost night, while at the railway station, Clinton Edwards, the boy's father. met Dr. Cochran, who is a one-armed man, and after a quarrel the segro picked up a stone with which he felled the doctor to the earth. As he fell Dr. Cechran pulled his pistel and put three bullets into Edwards William Watts, station agent of killing him instantly. the Southern Pacific, disarmed Cochran and then a number of negroes assaulted Watts. They accused having killed Edwards and demanded his life Dr. Cochran told the excited crowd that he was the guilty man, but the mob was bent on lynching Watts. Watts managed to reach the inside of the depot, which barricaded, and with the arms be had there and the assistance of the telegraph operator managed to hold the crowd at bay. Meantime he telephoned to Richmond, Houston and other towns for assistance.

While this was going on the negroes were also securing reinforcements and fiery leaders proposed burning the depot and the town. Just as they were about to put their designs into execution an engine pulled into the town with the Sheriff and a engine pulsed into the town with the Secretarion posses of armed men. It was with difficulty the Sheriff could get the crowd quiet. Dr. Cochran surrendered, but the mob clamored for Watts, the station agent. In the hubbub the Sheriff, to appease them, arrested Watts also, and quickly getting the two men on the train, the posses pulled out for Richmond, where the men will be held until an examination is had. All

DESCENDANTS OF SOLDIERS TO UNITE.

A PROPOSAL FOR THE UNION OF THE SONS OF THE REVOLUTION AND THE SONS OF

THE AMERICAN REVOLUTION. The descendants of the soldiers who took part in the war for American independence have during the last fifteen years made several efforts to organize as a society, having for its object the perpetuation of the memory of their forefathers. On July 4, 1876, a society known as The Sons of Revolutionary Sirwas organized in California. Circulars inviting all those who by reason of lineage were entitled to men bership were sent throughout the United States. In 1883 a society was formed in New-York under the name of The Sons of the Revolution. Later on societies were formed in Philadelphia and many other

About the time of the Centennial Celebration of Washington's Inauguration, April 30, 1889, a general proposition was put forth, looking to the formation of a national rociety, in which all the States represented should, in fact, be equal and not auxiliary of the State of New-York. New-York and Pennsylvania refused to take part in this movement. This resulted in the organization of a new society, which adopted for its title, The Sons of the American Revolution. The two sets of societies have increased in numbers rapidly. The Sons of the American Revolution having representations in twenty states and a membership of 3,500, while the Sons of the Revolution now have societies in seven States, with a membership of about 1,400.

It has been a source of regret to members of both organizations that some arrangement could not be effected which would result in bringing together the two elements. On Thursday, February 16, the two societies, The Sons of the Revolution and The Sons of the American Revolution will hold separate sessions in the rooms of the Chamber of Commerce for the purpose of considering some plan by which union can be effected on a basis satisfactory to both sides. number of meetings have been held in the office of number of meetings have been held in the office of General Horace Porter between representatives of both societies, and the pian of union formulated as the out-come of these deliberations. It is thought, will result in bringing the two organizations together. It has been proposed that The Sons of the Revolution get the name, the soal, the colors and most of the constitution, while the sons of the American Revolution sector the ac-cepted badge of the society. Representatives of both the societies are gratified at the prospect of bringing the different elements together.

STORM-TOSSED VESSELS COME TO PORT.

LA BRETAGNE RUNS INTO A TEMPEST ON HER WAY FROM DAVRE.

The vessels which arrived at this port yesterday almost without exception reported such struggles with wind and waves that the shelter of the harbor seemed doubly grateful to them. The French, steamer La liretagne, which left Havre on January 28, with 34passengers, encountered heavy weather when only a day out, which began to make things uncomfortable for all on board. The wind was variable and, companied by high seas, became a hurricane by February 1, and raised a sea which pounded and buffeted the big liner unmercifully, the huge waves breaking over the steamer and causing passengers to on the 2d, 3d and 4th, a heavy snow-storm adding to the general misery on the evening of that day and mountainous waves sweeping over the decks. The tempest continued during the morning of the 5th, accompanied by a half-storm. Yesterday, however, the weather moderated semewhat, and despite the rain and fog officers and crew were enabled to work the

steamer with comparative comfort.

The bark Boylston (of Boslon), from Cienfuegos. encountered heavy gules on her passage, and was tossed back and forth for eleven days north of Hatteras

The schooner Fred Jackson, from Port de Paix, also reports a rough passage, and on February 5 lost her deckload with anchored at Burnegat.

The steamer Cherokee, which arrived yesterday at this port reports passing three can buoys off Fen-wick Island, one of them being a bell buoy.

## A MEXICAN ARRESTED FOR SWINDLING.

Placido de Castroverde, formerly in business in the City of Mexico, was arrested by Deputy Sheriff Upham as the was about to go on board the steamship City of Alexandria at her Wall-st, pier on Saturday. The Alexandria at her Wall-st. pler on Saturday. The ressel sailed at 1 p. m., bound for Hayana and Mexican ports. The order of arrest was is ned by Judge Patterson, of the Supreme Court, on the com-plaint of Henry P. Findlay & Co., of No. 117 Pearl-st. who alleged that the defendant had swindled them out of \$3,227 82 worth of Read's "Dog's Head" ale and stout and Grattan's ginger ale, shipped to him at the City of Mexico, between April and August, 1891. It. Pendlay deposed that Castroverde had acknowledged by letter the receipt of the goods, which e was to sell in Mexico as agent for the firm, but afterward wrote that he had given up business and had turned the goods over to his successors, J. M. Gaston From letters received from Giston & Co. Mr. Findlay learned, he said, that Castroverde had hrypothecated all the ale, stout, etc., which the plaintiffs had sent to him to the Bank of London and Mexico as security for a loan of \$5,000. Indical Patterson fixed the bail at \$2,500, in default of which the defendant was taken to Ludlow Street Jail.

NEW YORK MEN AND WINDOW-GLASS TRUST.

The window glass trust which was organized in Milwaukee last week, under the name of the American Window Glass Company, is one of the strongest com-binations of its kind that was ever formed, according to New-York jobbers and manufacturers. The trast, as it now stands, has gathered in all the manufacturers in Cleveland, Pittsburg, Milwaukee, Chicago and other Western cities, and for self-preservation, the New-York manufacturers say that they and the New-Jersey companies will be compelled to join the trust. big combination now controls 93 per cent of the number of manufacturers and jobbers of the country. and the capital representation of the trust exceeds

The New-York, New-Jersey and other Eastern dealers furnish only about 7 per cent of the window glass material manufacturers in the United States, and they will, it is said, welcome the privilege of joining

the trust.

Holbrook Brothers, plate and window glass manufacturers, at Nos. 85, 87 and 89 Beekman.st., said yesterday that the New-York and New-Jersey manufacturers would soon be forced to join hands with the ble trust. the big trust.

The price list of the trust increases the price of window glass about 10 per cent.

A GIFT FROM EX-PRESIDENT M'COSH.

Princeton, N. J., Feb. 6.-The Rev. Dr. McCosh has sent \$1,250 to the congregation of the East Free Church at Brechin, of which he was at one time minister, to help any deserving young man connected therewith in his studies for the ministry of the Free Church.

REDUCED RATES TO WASHINGTON VIA PENN SYLVANIA RAILROAD.

The Pennsylvania Railroad Company will sell ex-cursion tickets from New-York to Washington March 94, 3d and 4th, valid to return until March 7th, at rate of \$8 for round trip for benefit of those desir-ing to attend the Inauguration of President-elect Cleveland.

ALL THE PROSECUTION'S EVIDENCE IN.

MESSRS. SIMMONS AND SHEERY MAY TAKE THE STAND IN THEIR OWN BEHALF.

The end of the trial of Edward C. Sheehy and Charles E. Slammens, Commissioners of Charities and Correction, who are accused of abetting the illegal registration of paupers, seems in sight. rest of the presecution's testimony was offered yes terday before Commissioner Shields. H. D. Hotchklas said that when the case was called next Mon-

One-hundred-and-twenty-third-st., the hext witness, bership fee was raised from \$50 to \$75, and the was an election inspector in the district in which incitation fee was increased to \$10. was an election inspector in the district in which the alleged paupers registered. He identified the were registered. He picked out the twenty-five men from the Randall's Island Hospital whom it is charged the defendants aided in illegal registrati Dychman sald that none of the twenty-five had

sold Mr. Hotchkiss, turning to Assistant United States Attorney Baker.



A GROUP IN THE TEIAL OF COMMI-SIGNERS SIMMONS AND SHEERY.

day he might ask the two defendants to take the witness stand. If he did not, he would probably offer no evidence whatever. Mr. Sheehy was present vesterday, but Mr. Simmons was not.

the Bureau of Elections to bring into court the five books containing the list of voters in the Third Election District of the XXVIIth Assembly District who were registered before the last election. He merely testified that the volumes were filed with the bureau. Pell V. Dyckman, of No. 510 East

allowed to leave the Island on the day of the One hundred and thirty-eight persons election. were registered from the Randall's Island Hospital, Dyckman said. Mr. Baker then announced that he had no more testimony to offer.

more in which to prepare his affidavits and arguments

THE DAVID CARLL RUN DOWN AND SUNK

ONE OF THE NEW-JERSEY PILOT FLEET SENT

The David Carll, a New-Jersey pilothoat, was rut

TO THE BOTTOM BY THE ORIZABA.

The big vessel had just ended a tempestuous voyage

passengers felt happy over the prospect of a speedy release from the discomforts of the voyage. Pilot

Andrew Jackson bounded the steamer off the New

Jersey coast, and was in charge as she steamed slowly

o vessels concealed in the solid bank of white haze

suddenly a pilotboat loomed up out of the fog directly

ahead of the steamer, and before her headway could

be checked the powerful iron bow struck the smaller

vessel amidships and ploughed through the timbers

The force of the impact was so great that it was

fully ten minutes before the steamer freed herself,

and ample time was afforded for the rescue of the

crew of the injured vessel, which sank as soon as she

The David Carll, which was one of the best known

Hook. There was a light breeze blowing at the

and a heavy fog obscured every thing a boat's length away. The fog horn was kept going constantly, and

was answered. Pooch says, by the steamer's whistle

A moment before the pilothont was struck the Orizale

comed up, and realizing that he could not save hi

vessel. Pooch gave a cry of warning and jumped to

the anchor chains of the steamer. He was followed

by Peterson, one of the sailors. Olley Hellison, Harry

Anderson and Charles Stephens, the other saffors, ra-

to the yawl boat, calling to the cook, who was in the

galley. As he came running across the deck he fell and broke his arm, but reached the boat and was taken about the Orizaba with the others and brought

TRANSATLANTIC TRAVELLERS

saint, Mr. and Mrs. John Ulrich, Dr. and Mrs. Valade

ports, etc., were L. G. Robbins, Joseph Couts, George

NOT THE CHILDREN OF ISRAEL WARD.

A dispatch from Chicago published yesterday told

of the search in the West by "Mr. Ward, son of Israel Ward, a banker of West Haven," for his sister, who,

according to the story, had filled out her father's check

for \$10,000 and then eloped with "James Lewis," the coshier of the bank. A dispatch from New-Haven saying that Israel Ward, the West Haven banker, had

been dead ten years and no such man as James Lewis was known in the place, discredited the story of the

outset. Yesterday Henry Hannah, of No. 60 Wall-st.,

say that the only daughter of Mr. Ward, having just

of any "James Lewis, cashler," until she read the

dispatch from Chicago. Her brother, the only son

of Mr. Ward is now a cadet at the Naval Academy in

SUBSCRIPTIONS TO THE HOSPITAL FUND.

Kingsbridge, \$10; Frank T. Lawrence, John W. Auchin-

loss, Temple Bowdoin, Robertson & Kaufman, Val-

entine & Co., S. Rosenberg & Co., J. W. Goddard &

sons, William Marx & Co., Caswell, Massey & Co., and

Herman Kratzenstein, each \$25; Peter Marie and

George Alexander Brown, each \$10; Plant & Co. and

employes, 36; Peter F. Pia, Albert Jacobel and Martin

Mrs. John A. Lowery, treasurer of the Woman'

Auxiliary, No. 32 West Thirty-lifth-st., acknowledged

the following additional contributions to the Woman's Fund: Mrs. William B. Dinsmore and Mrs. Alex-

inder M. Bruen, each \$50; Mrs. Joseph S. Decker,

Mbs. Caroline T. Lawrence and Mrs. J. H. Bloodgood, second glit, each \$10; Mrs. Cadwallader Evans, Mrs. Hamilton Hoppin, Mrs. William Bard McVickar and Mrs. Howard Henry, each \$5; Codell and Nettle Fendler, \$5; total collection to date, \$54,333 81.

THE SOCIETY OF COLONIAL WARS

A meeting of the Society of Colonial Wars was held

yesterday afternoon at No. 122 William-st. T. J.

Oakley Rhinelander presided. There was a discussion of the date of the "commencement" of the society. Mr. Draper moved that July, 1540, be adopted as the date of the "commencement" of the society.

Sul-eppe Zozzoli.

CHILDREN PLACED IN GOOD HOMES.

ANNUAL REPORT OF THE NEW-YORK JUVENILE ASYLUM

A venerable structure standing on Washington Heights, at One-handred-and-eventy sixth st, and Amsterdam ave., attracts the attention of all visitors to that historic portion of this city. The building is to that instoric portion of this city. The billioning is the New-York Javenile Asylum. It occupies a com-manding position and is reached by a roadway through a handsome oak grove from Teith-ave. The directors of the asylum have just issued their forty-first annual report, an illustrated pamphlet of 132 pages. The health of the children during last year was good. Only three deaths occurred out of an average daily attendance of 1,000 children. This has been the exact average of deaths at the institution during the forty years of its existence. The good health of the inunites was largely due to the excellent system of daily study, work and exercise.

Much attention has been paid to industrial training and to the education of the 624 children admitted to the institution last year, but few of whom were able

to read and write when they were received.

E. D. Carpenter, superintendent of the House of Reception, No. 106 West Twenty-seventh-st., received 993 applications for admission during the last year. A | Of these 624 were considered favorably. One hundred and six children, 86 boys and 18 girls, were sent from the asylum to the placing out branch at Englewood, near Chleago, Ill., last year. Fifteen per cent of these children were committed to the institution, through the Society for the Prevention of Cruelty to Children; 17 per cent on account of va grancy or depravity; 45 per cent for truancy and disobedience, and 23 per cent for destitution. These children have all been placed in good homes in the West, and 58 per cent of them remain where they were first assigned on trial.

The officers of the institution are: President, Ezra M. Kingsley; vice-presidents, Edmund Dwight and Henry Talmadge; directors, Andrew H. Green, C. Henry Talmadge; directors, Andrew H. Green, C. C. Peck, Joseph R. Lockwood, Ezra M. Kingsley, William B. Taylor, William Lambert, Henry N. Tift, Affred E. Marting, Peter Carter, Henry Talmacke, William Dowd, Theron G. Strong, Damiel J. Holden, F. W. Levoe, H. M. Humphrey, James T. Barrow, Edmund Dwight, William Harman Brown, A. G. Agnew, Horace E. Garth, Mornay Williams, Gustav H. Schwab, R. A. Dorman and Robert M. Gallaway.

THE PRICE OF ICE IS NOT TO BE RAISED

A report was published yesterday saying that there had been a combination among the ice companies in teamer and causing passengers to
this city to keep up the price of ice next sammer. A
number of the managers of the ice companies who were seen yesterday by a Tribune reporter dented the correctness of the report. Robert Maclay, the president of the Knickerbocker Ice Company, said: "So for as can be determined at present, there will be no charge in the price of ice next summer from what There certainly is no reason why it should be any cheaper. The price last year was from 35 to 40 cents for 100 poweds, and from \$2.50 to \$3 a ton. This is cheaper ice than you can get in Boston or Philadelphia. It is true that the ice crop this season has been unusually good, but the fact that over a dozen ice companies have gone under in the last four years is evidence that the business is not on a good paying basis at the present prices. last few years have been exceedingly bad, reason why the Kulckerbocker fee Company did go under was because we owned our property and had no rent to pay,

CHEATING CONDEMNED AT PRINCETON.

Princeton, N. J., Feb. 6 (Special).-The old chapel was crowded to-day with a mass-meeting of it students, held to take action in regard to the new rules concerning examinations. It had been found on that a number of men, especially in the lower classes were cheating in the examinations, in spite of the pledge of honor received from them. The mass-meeting was held to condemn these men. A number of students spoke on the question and the general sentiment seemed to be that men who were capable of degrating the fame of their aim? mater to such a degree had no right to remain. A committee wa selected whose duty it is to call all such men up before it and condemn them. The lightest punish ment to be given to these men shall be, on confession, a re-examination. In some cases the faculty shall be petitioned to suspend or expet them.

SHIPPING MERCHANTS MAKE AN ASSIGNMENT.

C. Carranza & Co., shipping and commission mer chants at No. 00 Wall-st., made an a-signment yes terday without preference to Rafael E. Parraza. The firm consists of Carlos Carranza, of Buenos Ayres, and Felix L. De Castro, of Brooklyn.

Deputy Sheriff Mulvaney has received an attach-nent for \$23,000 against the Wallis Iron Works, of Jersey City, in favor of Edward Burns, of Becoklyn. The Sheriii yesterday sold out the effects of the North American Exchange Company, at No. 57 Broad way, under an execution for \$2,013 in favor of Frank Lazarus for rent, the sale realizing \$150. pany was incorporated as a bureau of information, and John W. Young, son of the late Brigham Young, was vice-president.

THE JUROR HAD SAT UNDER JUDGE LYNCH.

After three days of labor the jury in the trial of Colonel W. B. Hayes for perjury was secured yester day in General Sessions. Assistant District-Attor-ncy Vernon M. Davis Is now adding Bartow S. Week in the presecution and William F. Howe has withdrawn from the defence. It is said that he and Hayes had bomble about the lawyer's fee. The prisoner is now defended by ex-Judge George M. Cartis and Ambrese H. Purdy. The largest accepted yesterday were: William Frankenbeimer, broker, No. 50 Exchange Place: John Van Dolsen, builder, No. 2,102 Madison-ave.; Henry McDonald, retired, No. 129 West Thirty-fourth-st., and William Ersfeld, candles, No. (35 East One-hundred and thirty-eighth-st.

Mr. McDonald was asked if he had ever been juror in a criminal case before.

"How was that ?" Mr. Purdy asked. "It was about thirty years ago in Montana. I ras on two juries in trials in which the judge was

not regularly authorized to sit."

"And that judge's name was—"

"Lynch," answered Mr. McDonald, and there was a general smile.

ANOTHER DELAY IN THE HARRIS CASE. Recorder Smyth in General sessions yesterday gave william F. Howe another week in which to secure the suggestion was vigorously opposed by Charles H. affidavits in support of his motion for a new trial in the case of Carlyle W. Harris. At the end of the week District-Attorney Nicoll will need seven days the society. His motion was carried. The life mem-

"Now you see how you intimidated those people."

It was Commissioner Porter who did, if anybody did," replied Mr. Baker. It seems that Mr. gave orders that none of these persons should be

Company, to set aside a transfer of 100 shares of preferred stock of the company made by B. Wetmore to his mother, Mrs. Sarah T. Wetmore on the ground that the transfer was made withou consideration, and to prevent the receiver using the stock in payment of the alimony which the conhas awarded for the support of Mr. Wetmore's wife and three infant children. Mrs. William B. Wet more obtained a divorce from her husband last April and was awarded \$6,000 a year alimony. The alimony was not paid under the judgment, nor was security given for its payment as required. Mr. Wetmore left the State, and as no one was able to find any of his property, the court appointed a re ceiver to investigate. The receiver ascertained that a few days after the divorce suit was begun, June 28, 1800, 100 shares of stock of the Chicag and Northwestern Railroad Company, worth \$15, had been transferred by Mr. Wetmore to his In a deposition taken by a commission at Lakewood, N. J., in connection with the divorce case is

THE COURTS.

Metropolitan Telephone and Telegraph Company to re-cover 270 shares of capital stock of the company Judge cover 270 shares of capital stock of the company Judge
Andrews has given a decision in favor of the detendants. Echert entered the employ of the company
as general manager in 1882, under an agreement, he
alleged, that he should receive \$4,000 a year, and
that the company should hold ninety shares of the
capital stock for his benefit, he having the privilege
of nexting for it at par value, \$100 a share, at his
Common Pleas-General Term—Adjourned until February
Common Pleas-General Term—Adjourned until February of paying for it at par value, \$100 a share, at his 23. convenience. His complaint set forth that he had offered to pay \$4,500 on the stock in 1882 and 5. \$5,555 55 in 1886, but that he had been requested to in opposition to the motion. Thus a further delay of two weeks is assured. hold the money and walt for a more convenient time to transfer the stock. His resignation was requested

down and sank yesterday morning at 10:30 o'clock in stock to Eckert. It was set up by them that Eckerts salary was increased to \$5,000 a year, and then to \$6,000 a year, and that at his resignation it was agreed to pay him one year's salary in advance at the latter rate. It is resignation was requested owing to differences of opinion in the management.

Judge Andrews says the statements of the two parties are absolutely irreconcitable. Both are equally entitled to belief, but the burden of proof lies with the plaintiff, who, he decided, has not proved his case. into the Lower Bay, blowing her whistle as a warning

Judge Patterson has adjudged G. Harry Lester, wealthy shoe dealer of Binghamton, N. Y., in contempt of court for failure to obey an order to turn over to a receiver \$21,500 belonging to the Nepera Park Land Company. The company was organized with a capital of \$50,000 to speculate in land near Youkers by James C. Truman, a politician of Bingham-ton and postmaster there under Cleveland. The other parties to the scheme were G. Harry Lester and Hubert S. Brown. Truman left the company and Judge Gilber station with Pilots Nielson, Sylvester, Nichols and Boebe, Boatkeeper Edward Pooch, four sailors and a dersieeve was appointed trustee in his place. found the financis affairs of the company in bad coult. The last pilot to leave the boat was Frank Nielson, who boarded an incoming ship yesterday mornshape, and sued Lester and Brown to recover moneys which they had received for the company, but had ing at 5 a. m. Boatkeeper Pooch then ordered all sail set and the little vessel worked her way up to the not accounted for. Judge Barrett, when the case wa tried, found that Lester had wrongfully retained \$46,000 belonging to the corporation, and held Lester and Brown jointly hable for \$21,500. Brown was not proceeded against for contempt, as he has only recently been served with the papers.

CASES ARGUED IN THE APPELLATE COURT. Albany, Feb. 6.-The following cases were argued in the Court of Appeals to-day:

in the Court of Appenis today:

Catharine A. Hennessey, appellant, agt. A. R. Murdurk, Argued by J. T. Teller for appellant; L. A. Pierce for respondent.

Elka M. Sloane agt. the New-York Elevated Railway Company and another, appellants. Argued by A. C. Townsend for appellants; C. C. B. Pratt, jr., for respondents. to this city.

The officers of the steamer were relicent last night when seen by a reporter, and declined to discuss the accident.

The sunken boat was built by Eavid Carll, at City Island, in October, 1885, and was of 66 tons burden. Her dimensions were: Length, 77.5 feet; beam, 21.5 feet, and depth, 8.4 feet, she was owned by eight men, among whom were the pilots named, and was valued at 812,000. Arrangements have been made with a wrecking company to gride the vessel, which the overland of the lower properties.

BITS OF LEGAL NEWS.

innoing whom were the pilots named, and was at \$12,000. Arrangements have been made wrecking company to raise the vessel, which the lower end of the West Bank in thirty-five water. The Crizaba was not damaged by the many company to the company of the west bank in thirty-five water. John H. Fingler was fined \$100 yesterday by Judge Beach, of the Supreme Court, for failure to answer a subpoem to serve on jury.

The calendar in Supreme Court, Chambers, will not be called until noon to-day, as Judge Andrews will attend The French steamer La Bretagne, which arrived

sere vesterday from Havre, after a rough voyage, brought 348 passengers, 266 of them being in the steerage. Among the cabin passengers were R. D. the funeral of Mrs. Whitney in the morning.

The argument on the demurrer in the libel suit brought by Colonel Robert G. Ingersoll against the Rev. A. C. Andrew and wife, Miss Graves, Mr. and Mrs. A. Goldsmith, E. Milner, J. P. Mones, Arthur Roy, Miss Rubens, P. Stevens, A. A. Stewart, Mrs. M. Tous-

by Colonel Robert G. Ingersoil against the Rev. A. C. Dixon was to have taken place before Judge Ingraham, in the Supreme Court, vesterday, but counsel were not ready, and the case was stricken from the calendar.

Morris Spiceril, who was recently sentenced to three years and six months in the penifentiary for attempting to defraud magrance companies, was released on \$10,000 bail by Judge Andrews, of the Supreme Court, yesterday. Mr. and Mrs. Weber, Mr. and Mrs. Seemer, Mrs. and Miss Hill, Joseph Heron, E. H. Bissel, Mrs. Marietta Delco, Julius Loewenthal, A. S. Lowenberg and

Among the passengers on the Orizaba from Mexican uel H. Willard, secretary of the Manhattan Bross Co., has been awarded \$32,008.44 by the General Term of the Supreme Court, in his suit against the Holmes frooth & Harden Company for malicious prosecution Bingham and Manuel Kacousky, from Vern Cenz, Mr. and Mrs. Louis V. Place, J. Ruiz, Edward K. sparks, F. Melnery, Enrigne Rodriguez, A. L. Schulte and Charles G. Josse, from Havann. He was formerly treasurer of the company, and was charged with indorsing notes aggregating \$14,000 without

The General Term of the Supreme Court heard argument vesterday on an appeal by Herbert L. Satterlee, as secutor of Reverdy J. Travers, from an order permitting Annie Frances Travers, who says she was Mr. Travers's wife, to inspect a letter mentioned in his will. The letter contained a \$20,000 bequest. Decision was reserved. The Police Commissioners yesterday filed with the Supreme Court a notice of appeal from Judge Lawrence's decision that Peter Coulin was entitled to be recognized

as Chief Inspector.

Mrs. Jean B. Reid has withdrawn her suit against her brother, Richard M. Bens, and the case has been declared off before Judge Freedman. Mrs. Reid sued her brother for an accounting of their father's estate and for a who is guardian for the son and daughter of Israel Ward, of West Haven, called at The Tribune office to left school, is now living in this city, and never heard came up in the Superior Court 'ast month it was shown that Mrs. Reid has been hald in full eighteen years ago, and had signed receipts. Mr. Bent married about a year ago avainst the wishes of his sister.

COURT CALENDARS FOR TO-DAY.

Annapolis. So far as it related to these children, Mr. Hannah characterized the dispatch as a pure fabrication, but one which naturally caused them annoyance. Suprema Court-General Term-Before Van Brunt, P. J., O'Brien and Folicit, JJ.-Nos. 12, 19, 43, 44, 47, 49, 525, 54, 55, 59, 62, 63, 67.
Supreme Court-Chander-Before Andrews, J.-Motion caleman called at 11 o'clock.
Supreme Court-Special Term-Part I-Before Ingraham, J.-Nos. 2471, 2530, 768, 1739, 1748, 1142, 1120, 1130, 18, 774, 907, 35, 1903, 34, 1878, 1879, 1883, 1903, 1904, 1910, 1933, 1938, 1946, 1921, 2005, 2008.
Supreme Court-Special Term-Part II-Before Barrett, The following additional contributions to the Hos-Atal Saturday and Sunday Fund are acknowledged by he general treasurer, Charles Lanier, No. 17 Nassan-st.; st. George's, Episcopal, #1,055 14; Mercantile Exchange, \$1,032.75; Cottegiate Reformed, Harlem, \$136.35; Dr. John T. Metcalle, Murray Hill Hotel and Park Avenue Hotel, each \$50; Mediator, Episcopal,

A Ruddy Glow on cheek

and brow is evidence that the body is

getting proper nourishment. When this glow of health is absent assimilation is wrong, and health is letting down.

**Scott's Emulsion** taken immediately arrests

waste, regardless of the cause. Consumption must yield to treatment that stops waste and builds flesh anew. Almost as palatable as milk. Propared by Scott & Bowne, N. Y. All druggists.

"A thing of beauty

is a joy forever."

A REMINDER OF THE WETMORE DIVORCE CASE. A Home without Fireplaces is like a Judge Ingraham, of the Supreme Court, is trying man without eyes-Cheerless and una suit brought by the Continental Trust Company, sightly. The stove is not sociable nor as receiver of the property of William B. Wetmore, agninst William B. Wetmore, Mrs. earah T. Wet-more and the Chicago and Northwestern Railroad does the steam radiator glow with

hospitality. In family affairs what is sentimental is also practical. Domestic happiness is a practical matter, and the home is the shrine of sentiment. A Fireplace is thecentre of the home circle, warms hearts and hands alike. Therefore buy seasonable things for the fireside.

## W. H. Jackson & Co.,

UNION SQUARE, (Cor. Broadway).

Fine Wood Mantels and Chimney-piece Novelties.

many tesumonials of high value as those continu corded to ALLCOCK'S POROUS PLASTERS, and

Circuit Court-Part II-Before Lawrence, J.-Cares from Court-Part IV-Before Beach, J.-Cases from Part III. 

to transfer the stock. His resignation was requested in the spring of 1890, when for the first time, he says, the officers of the company denied that they had agreed to transfer the stock to him. Since 1882 there have been two increases of the capital stock, so that Eckert claimed that he was entitled to 270 shares, and asked the court to compel the company to transfer it to him.

The Metropolitan Telephone and Telegraph Company denied that it had ever agreed to transfer the stock to Eckert. It was set up by them that Eckert salary was increased to \$5,000 a year, and then to \$6,000 a year, and that at his resignation it was agreed to pay him one year's salary in advance at the latter rate. His resignation was requested owing to differences of opinion in the management.

Judge Andrews says the statements of the two parties are absolutely irreconcitable. Both are equally entitled to belief, but the burden of proof lies with the plaintiff, who, he decided, has not proved his case.

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ADJUDGED IN CONTEMIT OF COURT.

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Court of General Sessions—Part II—Before Smrth, R., and Assistant District-Attorneys Wellman and OsbornesNo. 1. No. 1. Court of General Sessions-Part III-Before Martine, J., and Assistant District-Attorney Weeks-No. 1.

BOOK COMPANY CREDITORS SAFE.

REPORT FROM THE REORGANIZATION COM-MITTEE-ASSETS EXCEED LIABILITIES. .

John I. Waterbury, chairman of the committee of eorganization of the United States Book Company, made the following statement yesterday afternoon: The reorganization committee has been almost confinnously in session for the past few days, and has made a careful and thorough investigation into the affairs of the United States Book Company. It has obtained from the most available source statements of the assets and liabilities, and while these statements still require to be verified, which is being done as rapidly as possible, the committee feel entirely confident that there is a large surplus of assets over liabilities, putting the assets on what appears to be a conservative basis. Should the property be sacrificed at sheriff's sale, of course it is wholly uncertain what amount it would realize, but if it is permitted to be liquidated judiciously, under the management of the receiver, or under such other management as the that there is property enough to pay leave the company in a position to go on with its basi ness. A statement will be issued to creditors as soon as practicable, doubtles within a few days, but the committee deem it best to defer this until such time as the information which they have received, and upon which their conclusions are based, can be verified and confirmed by the expert accountants and others who are now engaged in this branch of the work. Much has been accomplished already through the transfer of property from the Sherlff to the receiver in the line of preserving the assets for the general benefit. The creditors thus far heard from, and who represent a large proportion of the liminities, are co-operating with the committee; and we see 30 reason why the affairs of this company should not be placed in a sound and satisfactory position. soon as practicable, doubtles within a few days, but

HE BEWAILS THE CORRUPTION OF SOCIETY. The regular weekly meeting of the Baptist pasions yesterday at the Baptist Tabernacle, se ave, and Tenthest. The discussion of the subject the Rev. Leighton Williams. In the course of the ession, Lawrence Grouland, of the Bureau of Labor. Washington, made a short address. He urged upon the ministers present to preach socialism. He said that he believed God had been leading the people to ward socialism for several contaries. He compared the present social condition of the United States to that of Rome under Augustus. Continuing he said:
"There is in this country more ruffianism than in any other on the globe. Our youth are becoming more and more corrupt. Gambling and prize fighting are not only countenanced, but encouraged. Here every man believes he has, or should have, the right to 60 whatever he pleases, be it good or bad. It is our idointry of license which we dress up and call our love of liberty."

Before the meeting adjourned a resolution was passed condemning the anti-Chinese law and per litioning Congress for its repeal.

FOR THE DINNER OF THE REPUBLICAN CLUB. The seventh annual dinner of the Republican Cub. In honor of the birthday of Abraham Lincoln, will take place on February 12, at Delmonico's. The committee of arrangements is made up of Charles II.
Denison, Colonel E. A. McAlpin, A. B. Humphref, Joseph Ullman, James A. Blanchard and Henry Mel-ville. The speakers and sentiments to which the will reply are as follows: Colonel Robert G. Inger-soll, "Abraham Lincoln"; Chauncey M. Depew, "Tot Republican Party"; Senator E. O. Wolcott, of colorado, "Our Departed Leaders": Secretary Charles Foster, of the Treasury, "The National Administration"; Senator J. W. Carey, of Wyoming, "The Great West."

MRS. DEACON MADE NO PALSE STATEMENT. Edmond Kelly, of No. 120 Broadway, one of Mrs. Deacon's lawyers, gave out the following statement

to the newspapers yesterday: "I am authorized to contradlet the allegation in the newspapers that Mrs. Deacon has admitted that any statement made by her is false. Without entering into the particulars of the settlement, I feet bound to state on behalf of Mrs. Deacon that it has been made for the purpose of sheltering the children from scandal, and that no other consideration would have wrested it from her."

HE DENIES A GUILTY KNOWLEDGE.

Joseph R. Andrews was admitted to buil in \$2,000 yesterday, Aaron Raymond, clothler at Fulton and Nassau sts., becoming his bondsman. The charge is that he knowingly contracted an unlawful riage. He is employed at Herrmann's Theatre, and his brother, L. D. Andrews, is treasurer of the Casino. On January 25, 1301, Andrews married Mrs. Mary Frances Welch. He says he believed that she had no husband living at the time. The woman did have a husband, it seems, Edward F. Welch, and she was arrested for bigamy in November. She is now 00 ball. Andrews has been indicted. He was arrested last week.

Rates to Washington for the Inanguration, via Royal Blue Line:

Tickets from New-York to Washington and return. Tickets from New-York to Washington and return via Royal Blue Line, will be sold on March 2, 3 and 4, valid to return until March 7, inclusive, at 5 fee round trip.